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### Remarks

Claims 1-31, 36, 42-49, 51-57, and 71-95 are pending in the application. Claims 32-35, 37-41, 50, and 58-70 were previously canceled. A double numbering problem has been corrected so the second set of claims starting with 71 to 93 have been renumbered 73-95. Claims 1, 73, 74, 76, 84, and 91 have been amended. No new matter has been added by virtue of this amendment. Reconsideration of the application as amended is requested.

### Election/Restriction

The Examiner states that Applicant's election of 1-13, 16-31, 36, 47-49, 54-55, 57, and 71-93 were elected.

However, applicant would respectfully ask the Examiner to consider that the following claims should also be in the case based on that election and based on amendments to the claims included in Amendment A: claims 14-15, 42-44, 45-46, 51-53, and 56.

In the restriction, dated February 23, 2005, the Examiner identified six groups and 15 species including "group I claim 1-20, and 41-44," and "Embodiment 2: figure 2." Thus, claims 14-15 and 42-44 should all be included. In addition, the Examiner has rejected these claims in the 35 USC 112 section of the current office action so the Examiner must regard them as being included.

As to claims 45 and 46, first the Examiner has rejected these claims in the 35 USC 112 section of the current office action so the Examiner must regard them as being included. Second, all the elements of these claims are included in FIG. 2a, including remotely powered and remotely interrogated sensor transponders 48a, 48b (one of which is shown) connected for receiving all power for operating said sensor transponder derived from power radiated from reader 40, each said sensor transponder has an address stored in EEPROM 208 and each said sensor transponder has a system to transmit data so as to avoid collisions, such as RC timer 70 microprocessor 54 and transmitter 96. IS THIS CORRECT?

As to claims 51-53, first the Examiner has rejected these claims in the 35 USC 112 section of the current office action so the Examiner must regard them as being included. Second, these claims were amended in amendment A to depend on claim 13.

As to claim 56, first the Examiner has rejected this claim in the 35 USC 112 section of the current office action so the Examiner must regard it as being included. Second, Claim 57, included in the case by the Examiner, depends on claim 56, so claim 56 should also be included.

Thus, applicant would respectfully ask the Examiner to consider that claims 14-15, 42-44, 45-46, 51-53, and 56 42-44 are covered by the election of "group I claim 1-20, and 41-44," and "Embodiment 2: figure 2." Applicant requests that these claims be included along with the claims listed by the Examiner.

### Specification

In the office action dated June 15, 2005, the Examiner objected to the disclosure because the specification did not disclose the use of a digital sensor and circuit. Applicant erroneously stated that the specification had been amended to add the digital sensor and circuit. Actually no such amendment to the specification had been made. Claim 4 was amended to remove the phrase, "wherein said sensor comprises a digital sensor."

In the current office action, dated April 15, 2006, the Examiner states that the amendment filed on December 19, 2005 is objected to under 35 USC 132(a) because it introduces new matter into the disclosure: "a data receiving device, wherein said data receiving device is connected for receiving digital data derived from said reader and for providing said digital data to said processor."

Applicant would respectfully ask the Examiner to consider that the specification, as originally filed describes "two way communication" on page 11, lines 18 and 19, page 26, lines 2-3. A section entitled "bidirectional communication" begins on page 33 line 17 and continues to page 34, line 9. Hardware described in the specification for inclusion in the sensor transponder to accomplish this two way or bidirectional communication includes Amplitude Shift Keyed (ASK) demodulator 320, as shown in FIGS. 2a-2c, a Frequency Shift Key demodulator that replaces ASK demodulator 320, or RF transmitter 96 which can also be an RF transceiver, as shown in FIG. 2b. As shown in these diagrams, ASK demodulator 320 and RF transmitter 96 are both connected to microprocessor 54. As stated on page 33, beginning on line 19:

ASK demodulator 320 senses a shift in the amplitude of signal received by coil 34' because of modulation of carrier signal from oscillator 251 in reader 40, providing a digital input to microprocessor 54 in sensor transponder 48a-48c.

Thus, the specification is explicit that the ASK demodulator receives data from the reader from a shift in amplitude of the signal received and provides a digital input to the

microprocessor. Thus, "a data receiving device, wherein said data receiving device is connected for receiving digital data derived from said reader and for providing said digital data to said processor" was disclosed in the specification. Therefore the objection to the amendment under 35 USC 132(a) because it introduces new matter into the disclosure has been traversed.

### **Claim Objections**

The claims have been renumbered as specified by the Examiner.

### **Claim Rejections--35 U.S.C. § 112 first paragraph**

The Examiner rejects claims 1-31, 36, 45-49, 51-57, and 71-73 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and for containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The Examiner states that amended claim 1 includes new matter of "a data receiving device, wherein said data receiving device is connected for receiving digital data derived from said reader and for providing said digital data to said processor."

Applicant would respectfully ask the Examiner to consider that the specification, as originally filed describes "two way communication" on page 11, lines 18 and 19, page 26, lines 2-3. A section entitled "bidirectional communication" begins on page 33 line 17 and continues to page 34, line 9. Hardware described in the specification on these pages for inclusion in the sensor transponder to accomplish this two way or bidirectional communication includes, Amplitude Shift Keyed (ASK) demodulator 320, as shown in FIGS. 2a-2c, a Frequency Shift Key demodulator that can replace ASK demodulator 320, and RF transmitter 96, which the specification states, can also be an RF transceiver, as shown in FIG. 2b. As shown in these diagrams, ASK demodulator 320 and RF transmitter 96 are both connected to microprocessor 54. As stated on page 33, beginning on line 19:

ASK demodulator 320 senses a shift in the amplitude of signal received by coil 34' because of modulation of carrier signal from oscillator 251 in reader 40, providing a digital input to microprocessor 54 in sensor transponder 48a-48c.

Thus, the specification is explicit that the ASK demodulator receives data from the reader from a shift in amplitude of the signal received and provides a digital input to the microprocessor. Thus, "a data receiving device, wherein said data receiving device is connected for receiving digital data derived from said reader and for providing said digital data to said processor" was disclosed in the specification. Therefore applicants had

possession of the claimed invention at the time the application was filed and the amendment to the claims does not introduce new matter. Therefore the rejection of claim 1, and claims dependent thereon, including claims 2-31, 36, 45-49, 51-57, and 71-73 under 35 U.S.C. § 112, first paragraph, has been traversed.

#### Claim Rejections--35 U.S.C. § 112 second paragraph

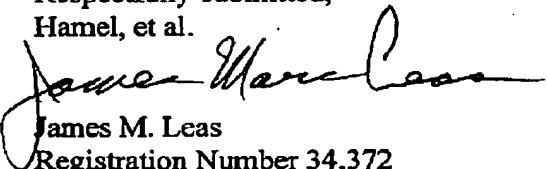
The Examiner rejects claims 74-93 under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner states that claims 74, 82, and 89 are incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections as described in MPEP 2172.01.

Claims 74, 82, and 89 have been amended to fix the problems cited by the Examiner. In addition claim 1 has been similarly amended.

#### Conclusion

Applicant believes the claims are in condition for allowance. Reconsideration of the application as amended is requested. If there are any questions please call applicant's attorney at 802 864-1575.

Respectfully submitted,  
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